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U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

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EASTERN DISTRICT OF MO
ST. LOUIS

United States District Court Eastern Division of Missouri

Case: Katherine Maria Pinner V. American Association of Orthodontists

Document Type: Instructions and Forms of Verdicts Attachment

Katherine Maria Pinner Plaintiff Vs. American Association of Orthodontists Defendant	CASE NUMBER 4:22-CV-00870-CDP Written Requests for Instructions and Forms of Verdicts, as requested in the Court's Pre- Trial Order, Document # 78, Item #5 Attachment
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The Pro Se, Self-Represented Plaintiff respectfully and kindly submits to the Court and to the Opposing Party the following attachment.

**WRITTEN REQUESTS FOR INSTRUCTIONS AND FORMS OF VERDICTS
AS REQUESTED IN THE COURT'S PRE-TRIAL ORDER, DOCUMENT #78, ITEM #5 ATTACHMENT**

As instructed by the Court, the Pro Se, Self-Represented Plaintiff is submitting to the Court and to the Opposing Party the attached written request for instructions and forms of verdicts using the proposed Eighth Circuit Model Jury Instructions and Forms of Verdicts.

The Pro Se, Self-Represented Plaintiff lacks resources and knowledge on how to locate "any other applicable instructions on case law with citation to the relevant Eighth Circuit Court of Appeals case."

The Pro Se, Self-Represented Plaintiff found and printed the attached Eighth Circuit Model Jury Instructions and Forms of Verdicts at www.moed.uscourts.gov via typing in the search bar "jury

instructions.” Even though it specifically states these instructions are for “bar and bench” and Plaintiff is Pro Se, Self-Represented, it seems this is permissible since this is in the public domain and the Court Order instructed the Pro Se, Self-Represented Plaintiff to submit the instructions. When performing a search on the Court’s website, the search results pulled up an article entitled “New Eighth Circuit Jury Instructions Builder (JIB) is Live and Ready for Use.” The article states: “Full details are in the announcement attached to this notice, and a quick instruction guide is attached below as well. The Instructions Builder is now live and available to bench and bar at: <http://juryinstructions.ca8.uscourts.gov>.”

The Pro Se, Self-Represented Plaintiff is not a member of the bench and bar but printed the attached instructions using the US Federal Courts Eighth Circuit Model Jury Instructions Builder for Case Type, Civil on October 5, 2024 from the Court’s website, which hopefully satisfies the expectation of the Court.

Table 1 below contains edits from the standard instructions which are made by the Pro Se, Self-Represented Plaintiff. For example, Plaintiff is a Pro-Se, Self-Represented Plaintiff, not a “lawyer,” “attorney,” “counsel.” Additionally, this case pertains to religion, not other types of discrimination noted on the instructions / forms.

Table 2 below contains an enumeration of the Instructions and Forms of Verdicts. If a question is not listed in the table 1, it is only because the Pro Se, Self-Represented Plaintiff had no suggestion to offer. The Pro Se, Self-Represented Plaintiff still submits the instruction and form

in **Table 2** if it is included in the attached packet of instructions and forms of verdicts using the proposed Eighth Circuit Model Jury Instructions and Forms of Verdicts. An instruction or form's exclusion from the **Table 1** below does not in any way indicate or denote it is not germane, only that the Pro Se, Self-Represented Plaintiff is not submitting a suggestion for consideration and revision.

For convenience, the Pro Se, Self-Represented Plaintiff is submitting a "clean" copy of Eighth Circuit Model Jury Instructions and Forms of Verdicts with suggestions applied as referenced in **Table 2**, as well as referencing the original version Eighth Circuit Model Jury Instructions and Forms of Verdicts located online and referenced in conjunction with **Table 1**.

TABLE 1

KEY

= Section and Number of the Eighth Circuit Model Jury Instructions and Forms of Verdicts

P = Page Number within the relevant Eighth Circuit Model Jury Instructions and Forms of Verdicts section

PH = Paragraph Number within the cited Page Number

S = Sentence Number within the cited Paragraph

#	P	PH	S	Current	Proposed
1.01	3	1	2	attorneys	Pro Se, Self-Represented Plaintiff, Defendant's attorney(s) ¹
1.04	8	3	1	Lawyers'	Not sure how to phrase this
1.04	8	5	2	Lawyers	The Pro Se, Self-Represented Plaintiff and Defendant's attorney(s)
1.04	8	6	1	lawyer's	"If I sustain an objection . . ."
1.05	10	1	1	lawyers	Pro Se, Self-Represented Plaintiff, Defendant's attorney(s)
1.05	10	1	2	lawyers	Pro Se, Self-Represented Plaintiff, Defendant's attorney(s)
1.07	12	1	1	lawyers	Pro Se, Self-Represented Plaintiff or Defendant's attorney(s)
1.07	12	1	3	lawyers	Pro Se, Self-Represented Plaintiff or Defendant's attorney(s)
1.07	12	1	4	the lawyers'' questions	questions asked by lawyers
1.08	13	5	1	lawyers	Pro Se, Self-Represented Plaintiff, Defendant's attorney(s)
1.08	13	5	4	Lawyers	Pro Se, Self-Represented Plaintiff, Defendant's attorney(s)
1.08	14	4	1	Entire paragraph	Keep / Read
1.08	15	1	1	Entire paragraph	Keep / Read
1.08	15	3	1	Entire paragraph	Keep / Read
1.09	16	2	1	Plaintiff's lawyer	the Pro Se, Self-Represented Plaintiff
1.09	16	2	3	Lawyers	Pro Se, Self-Represented Plaintiff or Defendant's attorney(s)
1.09	16	3	3	Plaintiff's lawyer	Pro Se, Self-Represented Plaintiff
1.09	16	4	1	lawyers	Pro Se, Self-Represented Plaintiff and Defendant's attorney(s)
1.09	16	4	4	Lawyers'	Pro Se, Self-Represented Plaintiff and Defendant's attorney(s)
2.01	4	3	1	Entire paragraph	Keep / read

¹ Based on exact wording in the Federal Rules of Civil Procedures and the Local Rules

2.01	4	3	1	Counsel	Pro Se, Self-Represented Plaintiff and Defendant's attorney(s)
2.01	4	3	1	Disability, or economic circumstances	Disability, age, or economic circumstances
2.14	18	1	2	lawyers	Pro Se, Self-Represented Plaintiff or Defendant's attorney(s)
3.01	4	4	1	Entire paragraph	Keep / Read
3.01	4	4	1	Disability, or economic circumstances	Disability, age, or economic circumstances
3.03	6	3	1	Entire paragraph	Keep / Read
5.01	5	1	1	Instruction	Instruction 5.40 Instruction 5.41
5.01	5	1	1	Religion	Religion and strongly / sincerely held religious belief
5.40	12	1	1	Insert name	Insert actual names
5.40	12	2	1	Generally describe claim	Constructively discharged Singled plaintiff out for disparate treatment Failed to accommodate
5.40	12	3	2	Religion	Religion and strongly / sincerely held religious belief
5.40	12	3	1	sex	religion and strongly / sincerely held religious belief
5.40	12	3	1	was a motivating factor or played a part	played a part
5.40	12	3	1	decision	actions and conduct
5.40	12	3	1	Religion	Religion and strongly / sincerely held religious belief
5.41	12	1	1	Insert name	Insert actual names
5.41	12	1	1	generally describe claim	Of constructive discharge
5.41	14	3	1	sex	Religion
5.41	14	3	1	Religion	Religion and strongly / sincerely held religious belief
5.41	14	4	1	Third, ...	Third, the defendant acted with the intent of forcing the plaintiff to quit or the plaintiff's resignation was a reasonably foreseeable result of the defendant's actions.
5.70	16	1	1	Instruction (1)	Instruction 5.40
5.70	16	1	1	Instruction (2)	Instruction 5.01
5.70	16	1	1	Describe Defendant's actions and conduct	constructive discharge

5.70	16	1	1	List of damages supported by the evidence	Insert specific damage types
5.71	19	1	1	Instruction (1)	Instruction 5.40
5.71	19	1	1	Instruction (2)	Instruction 5.01
5.72	20	2	1	Instruction (1)	Instruction 5.40 and/or 5.41
5.72	20	2	1	Instruction (2)	Instruction 5.01
5.72	20	2	1	His / her sex	Plaintiff's religion and strongly / sincerely held religious belief
5.72	20	3	1	Insert names	Insert actual names
5.72	20	3	1	Termination	constructive discharge
5.72	20	3	1	Sex discrimination	Religious discrimination
5.72	20	5	2	Instruction	Instruction 5.70
5.72	20	7	1	Whether the harm suffered	Physical or economic or both; whether there was deceit, intentional malice, reckless disregard for human health or safety; whether the defendant's conduct that harmed the plaintiff also posed a risk of harm to others; whether there was any repetition of the wrongful conduct and past conduct that harmed the plaintiff.
5.72	20	8	1	Caused the plaintiff	Caused the plaintiff and could cause the plaintiff in the future
5.72	20	9	1	His / her / its	its
5.80	25	2	1	Discrimination	Use bracketed phrase for multiple claims
5.80	25	2	1	Sex	Religious discrimination
5.80	25	3	1	Insert names	Insert actual names
5.80	25	5	1	discharged	Constructively discharged
5.80	25	5	1	His/her sex	Plaintiff's religion and strongly / sincerely held religious belief
5.80	25	9	1	Optional	Stating the amount or, if you find . . .
5.80	25	10	1	Optional	We assess punitive damages . . .
5.80	25	10	1	Instruction	Instruction 5.72
8.41	7	1	1	Insert names	Insert actual names
8.41	7	2	1	Describe alleged conduct	Describe alleged conduct
8.41	7	4	1	Options	Religion and strongly / sincerely held religious belief
8.41	7	5	1	Options	Hostile
8.41	7	6	1	Options	Hostile
8.70	21	2	1	5.70 should be reviewed . . .	Use 5.70 as a basis
8.71	22	2	1	5.71 should be reviewed . . .	Use 5.71 as a basis
8.72	23	2	1	5.72 should be reviewed . . .	Use 5.72 as a basis

8.80	24	2	1	Sexual harassment	Harassment on the basis of plaintiff's religion and strongly / sincerely held religious belief
8.80	24	2	1	Harassment	Use bracketed phrase for multiple claims
8.80	24	3	1	Insert names	Insert actual names
8.80	24	8	1	Stating the amount	Stating the amount or, if you find . . .
8.80	24	8	1	Optional	We assess punitive damages . . .
8.80	24	9	1	Instruction	Instruction 8.72

TABLE 2

SECTION	NUMBER
1 – Commencement of Trial Instructions	1.00
1 – Commencement of Trial Instructions	1.01
1 – Commencement of Trial Instructions	1.02
1 – Commencement of Trial Instructions	1.03
1 – Commencement of Trial Instructions	1.04
1 – Commencement of Trial Instructions	1.05
1 – Commencement of Trial Instructions	1.06
1 – Commencement of Trial Instructions	1.07
1 – Commencement of Trial Instructions	1.08
1 – Commencement of Trial Instructions	1.09
2 – During Trial	2.00
2 – During Trial	2.01
2 – During Trial	2.02
2 – During Trial	2.03
2 – During Trial	2.04
2 – During Trial	2.05
2 – During Trial	2.06
2 – During Trial	2.07
2 – During Trial	2.08
2 – During Trial	2.09
2 – During Trial	2.10
2 – During Trial	2.11
2 – During Trial	2.12
2 – During Trial	2.13
2 – During Trial	2.14
2 – During Trial	2.15
3 – Close of Trial	3.00
3 – Close of Trial	3.01
3 – Close of Trial	3.02
3 – Close of Trial	3.03
3 – Close of Trial	3.04
3 – Close of Trial	3.05
3 – Close of Trial	3.06
3 – Close of Trial	3.07
3 – Close of Trial	3.08
5 – Title VII	5.01
5 – Title VII	5.23

5 – Title VII	5.40
5 – Title VII	5.41
5 – Title VII	5.70
5 – Title VII	5.71
5 – Title VII	5.72
5 – Title VII	5.80
8 – Harassment Under Title VII	8.41
8 – Harassment Under Title VII	8.70
8 – Harassment Under Title VII	8.71
8 – Harassment Under Title VII	8.72
8 – Harassment Under Title VII	8.80

Signed: *Katherine Maria Pinner*

Dated: *11/7/24*

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I SENT A TRUE COPY OF THIS DOCUMENT TO THE DEFENDANT'S ATTORNEY OF RECORD ON THE DATE SIGNED VIA HAND DELIVERY.

Signed: *Katherine Maria Pinner*

Dated: *11/7/24*

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Katherine Maria Pinner Plaintiff	CASE NUMBER 4:22-CV-00870-CDP
Vs.	Written Requests for Instructions and Forms of Verdicts, as requested in the Court's Pre- Trial Order, Document # 78, Item #5
American Association of Orthodontists Defendant	

The Pro Se, Self-Represented Plaintiff respectfully and kindly submits to the Court and to the

Opposing Party the following:

WRITTEN REQUESTS FOR INSTRUCTIONS AND FORMS OF VERDICTS

AS REQUESTED IN THE COURT'S PRE-TRIAL ORDER, DOCUMENT #78, ITEM #5

ATTACHED

Signed: *Katherine Maria Pinner*

Dated: 11/7/24

PLAINTIFF

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I SENT A TRUE COPY OF THIS DOCUMENT TO THE DEFENDANT'S
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Signed: *Katherine Maria Pinner*

Dated: *11/7/24*